

PATENT

Docket No. 3553-4020US2
Express Mail Label No. EJ606951941US
[Handwritten signatures and numbers]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jay S. Walker et al. Prior Appln. Serial No. 09/443,158
Serial No : TBA Group Art Unit: 2768
Filed : February 8, 2000 Examiner: TBA
For : **CONDITIONAL PURCHASE OFFER MANAGEMENT SYSTEM**

JC530 U.S. PTO
09/507509
02/18/00


INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98.

The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. [] For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application noting the relevance of that item is enclosed:
2. [] For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. [x] Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior parent [x] Continuation, [] Divisional or [] Continuation-In-Part application under 37 C.F.R. §1.53, U.S. Serial No. 09/443,158, filed November 18, 1999, which is a Continuation application of US Serial No. 08/889,319, filed July 8, 1997.
4. [x] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - [x] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - [] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
 - [] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. [] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

[] A check in the amount of \$240.00 is enclosed in payment of the fee.

[] Charge the fee to Deposit Account No. 13-4500. Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and

b. the attached petition requesting consideration of this Information Disclosure Statement; and

c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

a. [] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;

b. [] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.

c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. [] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

[] I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. [] A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

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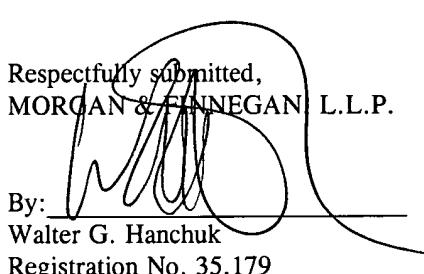
[] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-4500. Order No. _____ A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500. Order No. 3553-4020US2 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

11. [X] Applicants respectfully direct the Examiner's attention to the following U.S. Patent Applications, which are commonly assigned to the assignee of the instant application, and which may be deemed to be pertinent to the instant application:

| <u>Serial No.</u> |
|-------------------|-------------------|-------------------|-------------------|-------------------|
| 08/889,319 | 08/923,530 | 08/943,266 | 08/969,875 | 09/190,744 |
| 08/923,317 | 08/923,618 | 08/943,483 | 08/997,170 | 09/205,663 |
| 08/923,524 | 08/923,683 | 08/964,967 | 09/058,840 | 09/205,666 |
| 09/205,787 | 09/224,907 | 09/261,322 | | |
| 09/205,824 | 09/227,169 | | | |
| 09/220,191 | 09/252,574 | | | |

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

Respectfully submitted,
MORGAN & FINNEGAN L.L.P.

By: _____
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Registration No. 35,179

Dated: February 18, 2000

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FORM: IDS.NY
Rev. 4/12/95

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 3553-4020US2	SERIAL NO. TBA
INFORMATION DISCLOSURE CITATION		APPLICANT Jay S. Walker, et al.	
(Use several sheets if necessary)		FILING DATE 02/18/00	GROUP ART UNIT TBA

JC530 U.S. PRO 609/50750 2/18/00

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,878,403	Mar. 2, 1999	DeFrancesco et al.			
	5,809,478	Sep. 15, 1998	Greco et al.			

FOREIGN PATENT DOCUMENTS

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							YES	NO

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			LANCORP Mortgage Services, http://www.lancorp-mortgage.com/retailpa.htm , 1998
			Inland Mortgage Corporation, http://inlandmortgage.com/index.htm , 1998
			The Mortgage Store, http://www.mortgagestore.com , 1998
			Golden Age Antiques and Collectibles Online Auction, http://www.goldage.com , 1997
			Moran, Susan, "Xerox Won't Duplicate Past Errors", Business Week, 9/29/97
			Coleman, Zach, "Electronic Trading System Matches Buyers, Seller", Atlanta Business Chronicle, vol 20; no. 12; pg. 37A, August 22, 1997
			"What's Holding Up E-Cash?", Cybernautics Digest, vol. 3; no. 7, Finance

EXAMINER**DATE CONSIDERED**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,774,883	Jun. 30, 1998	Andersen et al			
	5,331,546	Jul. 19, 1994	Webber et al.			

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		Resnick, Paul et al, "Roles For Electronic Brokers", http://ccs.mit.edu/CCSWP179.htm 1997
		Philatelists Online Information, http://www506.bonsai.com/q/@131354lhyljf/infop.html , 1997
		Sports trade Information, http://www.sportstrade.com/infos.html , 1997
		Numismatists Online Information, http://www.numismatists.com/info.html , 1997
		Sell and Trade Internet Marketplace, Sell and Trade, http://sellandtrade.com/script/main.asp , 1997
		Kay, Alan, "Chapter 7 Future Research", 1997

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		5,715,402	Feb. 3, 1998	Popolo			
		3,581,072	May 25, 1971	Nymeyer			

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			Trade-direct, http://www.trade-direct.com . 1997
			“Internet Mortgage Service Eliminates Loan Agents and Passes Commissions on to the Consumer”, Yahoo! Finance, 1997
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			“Auctioning Unsold Airline Tickets”, adapted extract from Insight (USA), The Global Ideas Bank, 1996

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		Rockoff, Todd E., et al., "Design of an Internet-based system for remote Dutch auctions," Internet Research: Electronic Networking Applications and Policy, Vol. 5, No. 4, pp. 10-16, 1995.
		Franklin, Matthew K., et al., "The Design and Implementation of a Secure Auction Service," Proceedings: 1995 IEEE Symposium on Security and Privacy, pp. 2-14, 1995.
		Tenenbaum, Jay M., et al., "CommerceNet: Spontaneous Electronic Commerce on the Internet," 1995 IEEE Spring Conference, pp. 38-43.
		Sirbu, Marvin and Tygar, J.D., "NetBill: An Internet Commerce System Optimized for Network Delivered Services," IEEE 1995 Spring Conference, pp. 20-25.
		Bunker, Ted, "How Auction Technology Sped And Enhanced Sale Of Radio Licenses," Investor's Business Daily, Executive Update, Regulation, Pg. A3, February 24, 1995.
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		Anand, R., and Rao, M. Padmaja, "The Electronic Flea Market", IBM Research Division: Research Report, pp. 1-18, July 28, 1994.

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			"Unusual Farmland Auction Set," Harrison Scott Publications, Liquidation Alert, March 28, 1994				
			"The Computer Museum brings auction block to cyberspace in First Internet Auction," Business Wire, March 14, 1994.				
			Freeman, Brian and Gideon, Lidor, "Hosting Services - Linking the Information Warehouse To the Information Consumer," IEEE 1994 Spring Conference, pp. 165-171.				
			Booker, Ellis, "Mega real estate auction counts on imaging," Computerworld, p. 20, December 7, 1992.				
			Abstract: "A forward/reverse auction algorithm for asymmetric assignment problems," Computational Optimization and Applications, December 1992.				
			Abstract: "Marketel Shuts Doors," Travel Agent Magazine, March 23, 1992.				

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		Cass, Maxine, "West Coast Agents Remain Skeptical About New Air Ticket Sales Plan; Marketel: Airline ticket sales system sparks concern," Travel Agent Magazine, p. 50, September 2, 1991.
		Bookit!, "Airline Ticket Purchase Order For Business & Leisure Travel", Marketel International, Inc., 1991
		Inhaber, Herbert, "How To Solve the Problem of Siting Nuclear Waste," Transactions of the American Nuclear Society, Vol. 62, November 11-15, 1990.
		Dyson, Esther, "Information, Bid and Asked," Forbes, August 20, 1990.
		"Mercado electronico, El chance de regatear por computador", CIENCIA Technologia E Informatica, March 21, 1990 (Translation enclosed).
		Cole, Jeff, "Fare bidding plan could be the ticket", St. Paul Pioneer Press Dispatch, March 11, 1990.

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			Miller, Ross M., "The Design of Decentralized Auction Mechanisms that Coordinate Continuous Trade in Synthetic Securities," Journal of Economic Dynamics and Control, pp. 237-253, 1990.
			Koepper, Ken, "Room Inventory Auctioning: The Next CRS Generation", Lodging, January 1990 at pages 26, 29-30
			"Business Briefing, Airline Seats May Go on the Auction Block", Insight on the news, December 4, 1989.
			"Business Travel Update, Automation", Travel Weekly, November 27, 1989.
			Munro, Don and McCann, David, "A New Way To Purchase Travel, Automated Service Would Let Companies Bid For Already-Filled Airline Seats", Business Travel News, November 6, 1989.
			"An Electronic Auction Ahead For Airline CRS's?", The Business Week Newsletter for Information Executives, October 27, 1989.
			Cohen, Danny, "Electronic Commerce," ISI Research Report, University of Southern California, October 1989.

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							YES	NO

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		"From Airline Tickets to Human organs, the Electronic Markets are Booming", Times, vol. 3, no. 50, August 14, 1989
		Coyne, Andrew, "Unbundling ideas may alter world of politics," The Financial Post (Toronto), Section 1, p. 11, September 27, 1989.
		Malone, Thomas W., et al., "Electronic Markets and Electronic Hierarchies," Communications of the ACM, Vol. 30, No. 6, June 1987.
		"AUCNET: TV Auction Network System," Harvard Business School, July 19, 1989.
		Sammer, Harald W., "Online Stock Trading Systems: Study of an Application," IEEE 1987 Spring Conference, pp. 161-162.
		Littlefair, T., "Homelink: a unique service," Computer Bulletin, pp. 12-14, June 1986.
		Banatre, Jean-Pierre, et al., "The Design and Building of Echere, a Distributed Electronic Marketing System," Communications of ACM, Vol. 29, No. 1, January 1986.

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			Turoff, Murray and Chinai, Sanjit, "An Electronic Information Marketplace," Elsevier Science Publishers B.V., pp. 79-90, 1985.				
			Banatre, Michel, "Distributed auction bidding system," IPC Business Press, Computer Communications, Vol. 4, No. 4, August 1981.				

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	5,835,896	11/10/98	Fisher, et al.			
	5,832,452	11/3/98	Schneider, et al.			
	5,826,244	10/20/98	Huberman			
	5,799,285	8/25/98	Klingman			
	5,797,127	8/18/98	Jay S. Walker, et al.			
	5,794,219	8/11/98	Brown			
	5,794,207	8/11/98	Walker, et al.			
	5,758,328	5/26/98	Giovannoli			
	5,757,917	5/26/98	Rose, et al.			

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						YES	NO
	97/46961	12/11/97	WIPO				X
	96/34356	10/31/96	WIPO				X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

			Fishkin, Ken, Foresight Exchange Tutorial: (http://www.ideosphere.com/fx/docs/tutorial.html) February 19, 1999 at pge. 1 -5
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	5,717,989	2/10/98	Tozzoli, et. al.			
	5,689,652	11/18/97	Lupien, et al.			
	5,664,115	9/2/97	Fraser			
	5,615,269	3/25/97	Micali			
	5,611,052	3/11/97	Dykstra, et al.			
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		"Bid.com 1998 Third-Quarter Revenue Increases 12.5 Percent From Second Quarter", Business Wire, October 29, 1998.
		Final Report: Virtual Hospital (http://www.telemed.medadmin.uiowa.edu/TRCDocs/Pubs/FinalReport/cVirtualH/virtualH/virtualh02.html), download date: September 20, 1998.
		"First Source Become a Member", More Reasons To Join First Source! (http://www.fsource.com/bene.html), download date: September 20, 1998.
		Jeffrey Davis, "Big Storm rising", Business 2.0, September, 1998 at p. 60.
		Suite 101.com (http://www.suite101.com/doc.cfm.presskit/questions), 1998.

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	5,553,131	9/3/96	Minervino, Jr., et al.			
	5,799,285	8/25/96	Klingman			
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	5,517,555	5/14/96	Amadon, et al.			
	5,500,793	3/19/96	Deming, Jr., et. al.			
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	5,426,281	6/20/95	Abecassis			
	5,420,914	5/30/95	Blumhardt			

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		APPLICANT Jay S. Walker, et al.	
		FILING DATE 02/18/00	GROUP ART UNIT TBA

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	5,404,291	4/4/95	Kerr, et. al.			
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